February 1990 $6.00

## What To Know About Site Contamination
## How Laser Scanning Helps In C-Stores
## Capital Spending To Hit Record Levels

NPN
National Petroleum News

# UST Udate:
# Marketers Plan Their Next Move

**NPN**
**NATIONAL PETROLEUM NEWS**
*Established in 1909*

**VOL. 82** **NO. 2**

**Editorial Staff:**

*Editorial Director & Editor-in-Chief*
**Frank M. Victoria**

*Managing Editor*
**Peggy Smedley**

*Executive Editor*
**J. Richard Shaner**

*Senior Editor*
**Donald M. Smith**

*Staff Reporter*
**Steve Dwyer–Chicago**

*Production Editor*
**Julie E. Miguel**

*Editorial Assistant*
**Arlene Clatts**

*Contributing Correspondents*
**Marvin Reid**
**Mark Emond**
**Angel Abcede**

*Columnists*
**Sam Borenkind**
**Irving Blackman**
**Paul Forbes**
**Howard Upton**

**Executive Staff:**

*Chairman of the Board*
**Elliot Stein Jr.**

*Vice Chairman of the Board*
**I. Martin Pompadur**

*President*
**Robert E. Yarbrough Jr.**

*Publisher*
**Wm. D. Straub**

*Circulation Director*
**Roger DiGregorio**

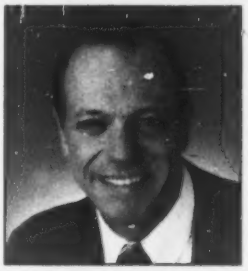
*Circulation Manager*
**Patricia Kaminski**

*Director of Production*
**George Chmielarz**

*Production Manager*
**Lloyd Schultz**

*Classified Sales*
**Elizabeth Santelli**

**Regional Reporters:**
**East Coast:** J. Richard Shaner, P.O. Box 1476, Morristown, NJ 07962-1476. (201) 428-2902
**Midwest:** Steve Dwyer, 950 Lee St., Des Plaines, IL 60016. (708) 296-0770
**South:** Angel Abcede, 950 Lee St., Des Plaines, IL 60016. (708) 296-0770
**West:** Mark Emond, P.O. Box 8130, Anaheim, CA 92812-0130. (714) 774-5598



# Editor's Viewpoint

**It's been a year since the EPA's finalized UST regulations went into effect. This month's update indicates that although the situation has stabilized, the industry is still in flux—some would say shock—from the demands imposed by those regs (and many others unleashed in recent years).**

The cost has and will be considerable and dire consequences have been predicted. A survey just after the regs were released said 27,000 to 35,000 stations could close within a year. And a recent PMAA long range planning committee study said that of the 10,000 marketers now in existence, 3,000 could be gone by 1995 and 2,000 more might disappear by the year 2000. It's too soon to say how accurate such forecasts will be, although there are a lot of us who think jobbers will again prove more resilient than expected. Most have come to terms with the technical end of the regs. What must concern them now is insurance to meet financial responsibility requirements.

Finding affordable insurance is the thorniest problem for many jobbers and some have thrown up their hands and gone naked—a dangerous move. Don't count on the EPA turning a blind eye to insurance compliance. It initially said enforcement would concentrate on the technical regs and financial responsibility had a low priority. But it's hard to imagine EPA inspectors making such a distinction in the field. Would an inspector check compliance with technical regs and ignore the possibility that insurance rules weren't being met? Would he give violators a pass? And with all the attention now being focused on the environment can the EPA of all agencies afford to show leniency. Lately, the agency doesn't sound as if it has a relaxed attitude about insurance, at least for big jobbers. Officials have noted that the October deadline for marketers with 100-plus tanks is long past and one was quoted as saying that about half of the large marketers have coverage and insurance is probably available to many who don't. In short, if you want it, it's there; and if you don't get it, watch out.

Meanwhile, smaller marketers with 13-99 tanks, must meet the insurance regs this April. Most can't absorb the price as well as their larger counterparts and few, if any, can self-insure as some big jobbers and oil companies have. But they at least may get some relief. The EPA's Ron Brand told Congress last year that although suspending enforcement of this April deadline is not warranted at this time, the agency is monitoring the situation and has not totally ruled out the possibility. In addition, House and Senate bills were introduced last year to suspend the financial responsibility requirements for a year. The House bill has 88 co-sponsors; the Senate bill 22. At the same time, more insurers are offering tank coverage, which may lower prices. Maybe there's a light at the end of the tunnel.

*—Frank M. Victoria*

NPN—National Petroleum News (ISSN 0149-5267) is published monthly (except semi-monthly in June) by Hunter Publishing Limited Partnership, 950 Lee Street, Des Plaines, Illinois 60016, (708) 296-0770.

© NPN—National Petroleum News

Second class postage paid at Des Plaines, Illinois and additional mailing offices.

*Subscriptions are solicited only from executive, management and supervisory personnel at the supplier and wholesale level of oil marketing, engaged in the distribution, merchandising, transportation and storage of petroleum, TBA products, and convenience store items. Position, company and segment of industry must be indicated on subscription orders.*

The Audit Bureau

HUNTER™

Basic **subscription rates** for one year to individuals in the petroleum marketing industry are: U.S. $56; Canada $65 (U.S. $); Foreign surface mail $71 (U.S. $); Foreign airmail $106 (U.S. $). Non-industry personnel rates for one year are: U.S. $71; Canada $80 (U.S. $); Foreign surface mail $86 (U.S. $); Foreign airmail $130 (U.S. $); **Single copy price:** U.S. & Canada $8.00 (includes first class postage). Foreign $10.00 (includes airmail postage). **Mid-June Factbook:** U.S. $50; Canada $60; Foreign $70. The publisher reserves the right to accept or reject any subscription. (R) Title registered in U.S patent office. **Change of address:** Notices should be sent promptly; provide old mailing label as well as new address; include ZIP or postal code. Allow 6-8 weeks for change. Send address changes, correspondence regarding subscription service or subscription orders to: Circulation Department, NATIONAL PETROLEUM NEWS, 950 Lee Street, Des Plaines, Illinois 60016. Or call (708) 296-0770, 9 a.m. to 4 p.m.

*Postmaster: Send address changes to NPN—NATIONAL PETROLEUM NEWS, 950 Lee Street, Des Plaines, Illinois 60016.*

# NATIONAL PETROLEUM NEWS

## 14 Regional News


**14 East**
Sears vs. Sears: David-Goliath contest

**15 Midwest**
Growing interest in bullet-proof C-store enclosures

**17 West**
Arco launches into "refining revolution" of the '90s

**19 South**
Two-clerk ordinance killed, but security issue still hot


## 21 General News


21 Forecast record levels for marketing capital spending

22 Proposed benzene reg could be costly to jobbers

22 Conoco pulls out of California market

22 Truckstops of America unveils franchising plan

23 Handicapped bill survives first House test

23 Saudi Aramco is world's largest oil company

24 Pennzoil uses Texaco booty to go after Chevron

24 On-board canisters best long-term choice, GAO says

29 Cumberland/Gulf wins PMPA rent suit


## 33 Features


**33 UST Update: Marketers Plan Their Next Move**

34 Where marketers stand in meeting technical regs

42 Why pollution insurance remains an obstacle

44 Who's who in pollution coverage

50 EPA storage tank mandate enforced by most states

52 Here's how state tank cleanup funds fare

58 Who to call if tanks leak

61 Marketers face a 1-2 punch with aboveground tank regs

**64 Operations and Equipment**
What jobbers should know about tank-site contamination

**68 Marketing**
Why marketers should check out laser scanning for C-stores

**83 O&E Management—Howard Upton**
Aboveground storage revisited

**84 Tax Corner—Irving Blackman**
IRS answers some transfer questions

**87 The Way I See It—Bruce McCall**
I'm tired...


## Departments


90 About Oil People

7 Ahead of the News

73 Briefs

9 Catching Up

104 Classified

80 Coming Meetings

3 Editor's Viewpoint

10 Marketplace

93 Product Showcase

10 Trends

As the new decade rolls out, many marketers are in a quandry about how to comply with EPA's underground tank regs and financial responsibility requirements. Here's a special update report by NPN's staff.

**Page 33**

Nowadays, the prime consideration in buying a marketing property is the issue of tank-site contamination. Both buyer and seller are advised to confront the problem straight on.

**Page 64**

Product scanning will revolutionize the convenience store checkout process in the next decade—and it could be sooner than later. Here's what to look for in this exciting new technology.

**Page 68**

# • TRENDS

## Alternate Fuel Cars Almost Sure For '90s

**There are two or three things that oil marketers are going to have to watch very closely as we enter the last decade of the 20th Century.**

The first of these is Amoco's experiment with natural gas facilities in four Denver service stations. Similar test programs have taken place in California in recent years and in other limited locations. But somehow, this one seems different. It's an open acknowledgement by a major oil company that this may be a very feasible way to market after the year 2000—which isn't really that far off. And other oil companies are also experimenting, attempting to adapt to a new market atmosphere influenced more by the ever increasing concern about the environment.

Car and truck engines that burn natural gas as their fuel aren't drawing board fantasies. They're here now. Some have been in a fleet-testing procedure for several years. In addition, contemporary cars can be modified for about $1,500. The gas vs. gasoline economics aren't bad. The biggest problems to grapple with are fuel storage tanks and enough service stations to take care of their needs. Like a pair of dogs biting each other's tail, one leads to the other. Amoco's experiment could be the trail blazer.

The answers aren't going to come overnight, of course. They're going to take time. But it's a marketing diversion that should be watched closely.

This, of course, is backgrounded against the sudden hysteria over reformulated fuels and the possibility that methanol may be a partial or complete substitute for gasoline by 2000 or thereabouts.

The industry is certainly focusing more and more attention on the reformulated fuel concept, seeing it as one of the better solutions to the problem of polluted air, the so-called "greenhouse effect" and what some people say is a disappearing ozone layer. The recent announcement of a multi-million dollar joint oil company/automaker research program is an example of how serious both these industries are taking the matter.

And well they should. Don't expect any backing down by the federal government or the environmentalists in their drives for cleaner atmospheres and iron-clad controls on storage tanks and transport systems, especially barges and big boats, regardless of the cost or the limitations. That simply isn't in the cards.

The touch-and-go games of the past are over. Oil companies which have had liquid fuels as a private preserve for more than a century are suddenly looking at a whole new world and a whole new way of powering cars. Anything is likely from now on.

And natural gas vehicles aren't the only things to watch. There are other technologies which are long past the conceptual stage. Keep an eye on battery-powered cars too. General Motors displayed one such vehicle in California last month which, it says, could well be a marketplace item by 1995.

There are problems to be resolved. It can only handle about 120 miles before the batteries need recharging; and every two years the batteries themselves must be replaced at a cost of $1,500 or so. Suppose, one day in the '90s, some one comes up with a new formula for batteries, i.e., reduces their size and weight and provides them with enough power to do 1,000 to 2,000 miles before recharging. How long would it be before they would be "second cars" for most families—thereby cutting into the liquid fuel market too and all but eliminating most of the environmental problems created by today's cars?

Still another item to watch this year and next is the capital spending forecast for gasoline marketing facilities. Surprisingly, these jumped to $6.2-billion in 1991 (see page 21) after what appeared to be a leveling off in 1989.

Much of the biggest hunk of expenditures for underground storage tanks and monitoring controls on pumps and tanks (including Stage II) will be over by the end of 1991. The industry from there on will be facing a future not knowing whether the motive power for cars will be gasoline, straight methanol or mixtures thereof, natural gas, batteries, or something no one has even thought of yet.

*—By J. Richard Shaner*

# • MARKETPLACE AT A GLANCE

**AVERAGE GASOLINE PRICES IN THE U.S. (per gal.)**

| NOVEMBER | Gasoline (All types) | Leaded Regular | Unleaded Regular | Unleaded Premium |
|---|---|---|---|---|
| U.S. City Avg. | $1.046 | $0.975 | $0.999 | $1.187 |
| Regions: | | | | |
| Northeast | 1.093 | 1.075 | 1.017 | 1.234 |
| North Central | 1.053 | 1.015 | 1.018 | 1.210 |
| South | 1.032 | 0.992 | 0.980 | 1.144 |
| West | 1.014 | 0.945 | 0.981 | 1.191 |

*Source: U.S. Dept. of Labor, Bureau of Labor Statistics.*

**STOCKS (Add 000 bbl.)**

| | 12/29/89 | 12/30/88 |
|---|---|---|
| Gasoline (Total) | 216,932 | 228,627 |
| Gasoline (Unleaded) * | 161,761 | 148,873 |
| Jet Kerosine | 36,290 | 37,808 |
| Distillates | 108,189 | 126,764 |
| Residual | 44,016 | 45,069 |

** Included in gasoline total.*
*Source: American Petroleum Institute.*

# Marketing Capital Spending Expected To Hit Record Levels

**There's no easy way to explain the changes, but capital spending projections for oil marketing in 1989, 1990 and 1991 have been restored to the record-breaking levels that were believed to be on the horizon in the fall of 1988.**

Not only that, the new projections by Data Resources, Inc., a subsidiary of McGraw-Hill, Inc., indicate capital spending on the oil industry's downstream marketing facilities will exceed $6-billion for the first time in history.

DRI analysts say they were unable to explain what happened in the spring of 1988 when the projections suddenly cooled off and instead of continuing the steady advance of recent years, they were summarily downgraded to $4.9-billion from the $5.1-billion estimated in the fall of 1988 [*NPN*—July '89, p8].

The new DRI forecast, issued in mid-December, says capital spending for oil marketing penetrated the $5-billion stratosphere for the first time in 1989 and is vaulting to the skies this year with a 25% increase to $6.3-billion.

## Some surprises

Inexplicably, there's an abrupt down curve projected for 1991—an 18% slump to $5.2-billion. Nevertheless, the spending projected by the DRI forecast for this year remains in the $5-billion-plus category, a head-swimming figure for most marketers who thought that $1-million was an awful lot of money for them and their facilities only a few years back.

Capital spending plans for the oil industry as a whole are on the upward trail too, but it's hard to say by how much and it's equally difficult to reconcile them with the rosier forecasts of fall 1988.

DRI says it was unable to make a 1991 projection for petrochemical spending because it had too few replies in hand to provide the hard numbers needed for solid forecasts.

The lack of this number for 1991 precluded the possibility of a national total. However, if petrochemical spending would be no worse than the $2-billion forecasted last spring, the 1991 total should be around $46.3-billion. That's about 7% higher than last year.

While this is nice and all that, the $46-billion is way below the $50.4-billion that had been projected in late 1988.

The new underground storage tank regs that are transitionally going into effect now may be the good reason why capital spending in petroleum marketing is at record-breaking levels. The federal and state regs are closing in on gasoline marketers, with 1990-to-1995 deadlines staring them in their faces.

### Marketing Spending Skyrockets Again in 1990 and 1991

| (Add 000,000) | Dec. '89 Forecast | % Chng. | June '89 Forecast |
|---|---|---|---|
| **MARKETING** | | | |
| 1991 (Planned) | 5,157 | (18.0) | $4,846 |
| 1990 (Planned) | 6,288 | 24.9 | 4,948 |
| 1989 (Estimated) | 5,036 | 2.9 | 4,885 |
| 1988 (Actual) | 4,896 | 12.5 | 4,896 |
| 1987 (Actual) | 4,352 | 23.4 | 4,352 |
| **TRANSPORTATION*** | | | |
| 1991 (Planned) | 2,776 | 20.9 | 2,585 |
| 1990 (Planned) | 2,296 | (7.7) | 2,567 |
| 1989 (Estimated) | 2,488 | 1.7 | 2,673 |
| 1988 (Actual) | 2,447 | 35.6 | 2,447 |
| 1987 (Actual) | 1,805 | (52.7) | 1,805 |
| **EXPLORATION AND PRODUCTION** | | | |
| 1991 (Planned) | 29,119 | 18.7 | 24,344 |
| 1990 (Planned) | 24,529 | 4.8 | 23,443 |
| 1989 (Estimated) | 23,396 | (9.2) | 20,383 |
| 1988 (Actual) | 25,780 | 21.6 | 25,780 |
| 1987 (Actual) | 21,199 | 7.2 | 21,199 |
| **REFINING** | | | |
| 1991 (Planned) | 3,240 | 2.9 | 3,024 |
| 1990 (Planned) | 3,120 | 8.1 | 2,998 |
| 1989 (Estimated) | 2,885 | 23.2 | 2,566 |
| 1988 (Actual) | 2,193 | 15.0 | 2,193 |
| 1987 (Actual) | 2,079 | (16.1) | 2,079 |
| **OTHER**** | | | |
| 1991 (Planned) | 6,858 | 18.5 | 6,712 |
| 1990 (Planned) | 5,786 | 4.3 | 6,595 |
| 1989 (Estimated) | 5,549 | 10.4 | 6,438 |
| 1988 (Actual) | 5,025 | 17.7 | 5,025 |
| 1987 (Actual) | 4,269 | 4.8 | 4,828 |
| **PETROCHEMICAL** | | | |
| 1991 (Planned) | N.A. | -- | 2,030 |
| 1990 (Planned) | 2,231 | 7.9 | 2,129 |
| 1989 (Estimated) | 2,067 | 37.0 | 2,201 |
| 1988 (Actual) | 1,509 | 49.1 | 1,509 |
| 1987 (Actual) | 1,012 | 17.6 | 1,012 |
| **U.S. TOTAL** | | | |
| 1991 (Planned) | N.A. | -- | 43,541 |
| 1990 (Planned) | 44,250 | 6.8 | 42,680 |
| 1989 (Estimated) | 41,421 | (1.4) | 39,146 |
| 1988 (Actual) | 41,850 | 21.1 | 41,850 |
| 1987 (Actual) | 34,715 | 0.5 | 34,715 |

* Does not include gas pipelines; ** Includes coal mining by oil companies; N.A.: Insufficient replies to make valid projections. Special note: If petrochemical's projection for 1991 was no worse than last summer's $2,037, this would make the U.S. total approximately $46,287.
Source: Data Resources, Inc., McGraw-Hill, Inc., 36th Annual Survey of Preliminary Plans for New Plants and Equipment 1989-1991. Data collected in Sept., Oct. and Nov.; published Dec. 8, 1989.

# ADA Civil Rights Bill Survives First House Test

**Still having to fight through a gauntlet of House subcommittees, a controversial civil rights bill cleared its first hurdle last November when the House Education and Labor Committee unanimously approved the Americans with Disabilities Act (ADA) of 1989. In the process, the committee placated some of ADA's opponents by eliminating some of the ambiguities surrounding the bill.**

Aimed at eradicating discrimination against the mentally and physically handicapped, both in access to employment and public accommodations, ADA has been a major concern of many business groups, including the National Assn. of Convenience Stores (NACS).

In approving the measure, the Education and Labor committee either relaxed its stand or eliminated altogether much of the uncertainty in the first draft that had galvanized many of ADA's opponents, including NACS. NACS top priority was to resolve the sketchy definition of an "undue burden."

One extreme undue burden, says Jack Strayer, NACS's director of government relations, might have required C-stores to institute braille for blind employees. Under the toned-down version, such a requirement would be eliminated. Another would have forced C-store owners to install special telecommunication systems, similar to fax machines, to facilitate deaf employees.

Other less severe burdens that still haven't been ruled out include constructing double-wide aisles and lowering shelf, cooler and counter height to accommodate wheelchair-bound patrons. [*NPN*—Jan. '90, p27]

Strayer says passage of ADA will change the way C-store operators approach hiring, too. "(C-store operators) are not going to be able to say, 'I can't hire you, I don't have a TTD (telecommunications devise.)' They might be expected to have one under ADA. In general, creativity will have to be tapped by the business community, which will be expected to be more proactive, instead of reactive, to the situation," says Strayer.

The bill, if passed by the House, will go before the Senate for consideration. Committees yet to deliberate on the measure in the House include the Energy and Commerce, Transportation and Public Works, and Judiciary committees.

# Despite Numerous Obstacles Ethanol Popularity Is Rising

**Despite contending against pump labeling laws, relaxation of restrictions on methanol and the erosion in some states of blending tax breaks, ethanol continues to thrive as a viable alternative fuel for many petroleum marketers, according to a recent study.**

The study revealed that 38% of the Society of Independent Gasoline Marketers of America (SIGMA) members sold ethanol-blended fuel, while 3% sold it exclusively. About 21% of all gasoline sold by its members is blended with 10% ethanol, according to the study.

All told, ethanol-blended fuels account for 6% of total U.S. gasoline consumption, using more than 300-million bushels a year of corn, from which ethanol is derived.

Coinciding with the SIGMA survey, and perhaps a microcosm of ethanol's thrust in the marketplace, was an announcement that Farmers Union Oil Co., of Willmar, Minn., had sold 2-million gals. of ethanol blended fuels, putting it head and shoulders above other ethanol users in the state.

The company, which markets 1-million gal./yr. of gasoline, of which 90% contains an ethanol blend, began selling ethanol in 1985, the same year the state of Minnesota raised its ethanol blend exemption to 4¢/gal. (it has since shaved it to 2¢). The company has registered record sales each month since it began. Farmers Union Oil, part of a 1,900-company co-op, supplies ethanol-blended fuel to city, county, state, school and hospital vehicles in the area.

"I think the future is very bright for ethanol,"says Lynn Dokkebakken, general manager of Farmers Union Oil. "We've got millions of miles of proven use and the endorsement of all major U.S. vehicle manufacturers and the makers of small engines."

The main reason ethanol sales have sustained, if not exceeded, past levels, is the variety of ways in which it can be deployed, says Tom Osborne, communications director of SIGMA.

A case in point, Osborne says, is that with the public's overwhelming acceptance of unleaded midgrade fuels, ethanol when blended with regular unleaded, "is an ideal way to create an 89 octane midgrade, except far superior." SIGMA says despite ethanol's inherent advantages, its future might be dubious. The future of alternate fuels rests on what President George Bush recommends in his Clean Air Act.

# Saudi Aramco Ranks As World's Largest Oil Company

**Using a new approach to evaluate size and value, *Petroleum Intelligence Weekly* says that Saudi Aramco is the largest oil company in the world. The publication is reputed to be one of the most authoritative and influential in the global petroleum industry.**

The new concept gives recognition to oil and gas reserves, production, product sales and refining capacity. This is a broader base than has been used in the past to provide an international perspective on oil companies.

Four of the top 10 are members of the Organization of Petroleum Exporting Countries while three are U.S. companies.

Here's the way the publication listed the top 10 oil companies:

1. Saudi Aramco
2. Royal Dutch/Shell
3. Exxon
4. Petroleos des Venezuela
5. National Iranian Oil Co.
6. Chevron
7. Mobil
8. British Petroleum
9. Texaco
10. Kuwait Petroleum Corp.

On the basis of reserves alone—the prime guideline of the past as to size and respectability—the lineup is considerably different. Here's the way the it listed the top 20 leaders in billions of barrels of oil reserves:

| Company | Reserves |
|---|---|
| 1. Saudi Aramco | 252.4 |
| 2. Iraq National Oil Co. | 100.0 |
| 3. Kuwait Petroleum Corp. | 94.5 |
| 4. National Iranian Oil Co. | 92.9 |
| 5. Abu Dhabi National Oil Co. | 65.5 |
| 6. Petroleos de Venezuela | 58.5 |
| 7. Petroleos Mexicanos | 53.0 |
| 8. Libya National Oil Co. | 20.5 |
| 9. Nigerian National Petroleum Corp. | 11.4 |
| 10. Sonatrach (Algeria) | 9.2 |
| 11. Royal Dutch/Shell | 8.8 |
| 12. Exxon | 7.5 |
| 13. British Petroleum | 7.4 |
| 14. Oil and Natural Gas Commission (India) | 5.8 |
| 15. Pertamina (Indonesia) | 5.4 |
| 16. Chevron | 3.3 |
| 17. Mobil | 3.1 |
| 18. Arco | 3.1 |
| 19. Texaco | 3.0 |
| 20. Petroleo Brasileiro | 2.8 |

The first 10 are state-owned oil companies. Of the second 10, three more are state monopolies, giving this group 13 of the top 20 positions. Based on 1988 production rates, Saudi Aramco's huge reserves were said to be equal to 128 years of supply. By way of comparison, Exxon's reserves were rated at 11 years of supply.

# EPA Storage Tank Mandate Enforced By Most States

**Since the Environmental Protection Agency announced its technical standards and financial responsibility requirements for underground storage tanks back in 1987, most of the state and local activity has centered around adopting the regs as they appeared in the federal register.**

Some states, like California, have had regs in place prior to EPA releasing its mandates, which are even tougher than the federal agency regulations. Others adopted even more stringent regulations to meet the volatile needs of their environment. Whatever the case, when finalized the individual state tank regulatory programs will override the federal rules.

• ALASKA: Alaska doesn't have any UST regulations in force and are presently reviewing the EPA regs to see what they will implement. The state has no idea as yet what will be enforced or if it will be more stringent than the finalized EPA regs. Oil pollution statutes and regulations for tanks over 420,000-gal., placarding of tanks, and spill reporting and response have been added to the federal requirements.

• ALABAMA: State regulations are similar to EPA rules. Some of the differences in the state regs are as follows: new tank installations have specific requirements on the construction of vapor monitoring and groundwater monitoring. The state also defines requirements on assessments as a result of a release for example: What should be tested for on a case by case basis--have primary and secondary investigations. Future legislation: working to require certification for installers.

• ARIZONA: Current laws, which became effective in 1986, mimic UST requirements suggested in the Resource Conservation and Recovery Act. New rules are in the process of promulgation and they won't be in effect until mid-1991. Financial responsibility, too, is predicted to be at least as stringent.

• ARKANSAS: Currently using EPA regulations and the state is in the process of drafting legislation. Anticipate using Dept. of Pollution Control and Ecology as enforcing agency.

• CALIFORNIA: California laws have been in place for the past four years. They are more stringent than the EPA's in that they require secondary containment and a permit for tank owners. California laws are less stringent in that they do not require upgrades in 10 years, which the EPA now requires.

• COLORADO: Following EPA regs.

• CONNECTICUT: State regulations have been on the books for four years. There is great concern in Connecticut since 60% of the drinking water comes from groundwater supply. With the exception of a few items, the state regulations are in conformance with the Federal regulations or even stricter, but they do not cover as much. Connecticut tank lining regulations, for example, are more stringent than the federal code and the state does not cover line leak detection. Working to merge EPA and state regulations within the next year.

• DELAWARE: A state regulatory program has been in effect since July 1985. The state expects that its regulations will continue to be as stringent as those of the federal government. Current regulations allow for secondary containment but this is not mandatory at this time. The program also regulates heating oils. Currently researching the economic effect of those regulations on small businesses.

• FLORIDA: Some of Florida's regulations have been in effect since September 1984. To keep the state regulations as consistent as possible with the EPA, the stationary tank rule (Chapter 1761) is being amended to include the EPA standards. In addition, Florida is considering even tougher regulations, such as secondary containment for tanks and piping for some new facilities and/or in areas with high vulnerability to groundwater contamination. Some tank regulations have been revised: The state will require installer/contractor certification. The regulations will go before a commission in March 1990 and some regulations may be made more stringent. The retrofit schedule is based on the age of the tank: for example, all pre-1970 tanks must have been replaced by December 1989, and all 1975-1980 tanks must include monitoring and overfill protection by that date as well.

• GEORGIA: Georgia has written amended regulations, adopting EPA by reference. The hearing was in December 1989 and the new rules will be in effect sometime this year. The state rules will define cleanup levels.

• HAWAII: Currently developing state regulations. The state has no UST regs in place, but are operating under a EPA grant to come up with a state plan. One state expert says Hawaii's valuable, fresh water table may play a role in future decisions (the possibility of secondary containment).

• IDAHO: Following EPA regulations.

• ILLINOIS: The state is following EPA regs. In Illinois, the Fire Marshal must be notified when a tank is being removed or replaced, and it requires that tank removers/installers must be registered. New rules regulate heating oil tanks over 1,100-gal., regulate emergency generator tanks, and requires removal of tanks over abandonment unless removal causes damage to other tanks, structural damage or damage to roadways. And there is also a law which mandates tank installation certification.

• INDIANA: Currently follow EPA regs.

• IOWA: EPA and Iowa regulations are the same except that the federal regs date closure and spills by 1998. In Iowa marketers must date closure and spills by 1991.

• KANSAS: Legislation has been drafted to adopt the EPA's regulations by reference. Some regulations will be added, for example, heating fuel tanks for non-single family dwellings.

• KENTUCKY: Adopted EPA regulations.

• LOUISIANA: Presently, no state UST tank regulations. Legislation has been proposed that generally copies EPA's rules.

• MAINE: The state follows the federal mandates, however, underground tank installers must be licensed.

• MARYLAND: The state has regs in place, but are currently drafting legislation to update these requirements. The state anticipates adopting most of EPA's regs.

• MASSACHUSETTS: State regulations are pretty much in line with EPA but some areas are stricter, such as: the state has mandated double-wall tanks and secondary containment for piping. The state has a 10-gal. reportable cleanup. Regulates heating oil tanks. Proposed regulations include upgrading and replacing waste oil tanks and requiring stricter regs on tanks in public water supply areas.

• MICHIGAN: State regs basically mirror the EPA. Michigan already has some state regs in place and these requirements would be incorporated into the federal mandates. One of the most notable differences is that

Michigan requires all unused tanks be removed from the ground, while the EPA says the tanks can be filled and left in place. Also, the Fire Marshal is enforcement agency in the state and therefore can institute stricter requirements down the road. Nothing has been indicated so far.

• MINNESOTA: The state regs have been modified to include the regulation of heating oil above 1,100-gal. or more and notification is required for state inventory of tanks. Also, owners and operators report change and give a 30-day notice for removal. Since January, the state has been offering training and/or certification for anyone who installs, repairs or removes tanks, and the certification probably will be required after June 1990.

• MISSISSIPPI: The EPA regulations have been adopted by reference. The enforcement body in the state is the Mississippi Dept. of Natural Resources.

• MISSOURI: Missouri has no state UST regs at this point, but expects to pass legislation sometime in early spring. These regulations are expected to mimic EPA regs with few differences.

• MONTANA: The state's regulations became effective 11/23/89 and they are similar to EPA regs except they include farm tanks. Montana's regulations cover small farm and heating oil tanks as well as piping.

• NEBRASKA: The state program is almost identical to EPA's except that they include small tanks and heating oil tanks. The program regulates all phases of installation and some phases of removal. It certifies installers and removers.

• NEVADA: Following EPA regs.

• NEW HAMPSHIRE: The proposed state regulations, which should be in effect this spring, are more stringent than those of the EPA in that they require double-wall tanks and also govern home heating oil tanks.

• NEW JERSEY: State regs are more stringent than federal regulations, especially where there are storage tanks above sole-source aquifers. The new legislation will require daily or continuous monitoring, spill/overfill protection, will advance some federal regs dates, such as the retrofit date will be September 1991.

• NEW MEXICO: Phase I of state regulations has been effective since April 1988; these include tank registration at $28 per tank, per year; notification of a spill greater than 25-gal.; notification of major modifications or construction. Phase II, effective fall 1988, addresses technical regulations; owner is accountable instead of owner/operator as in federal regulations. The program has a stricter time table for updating and upgrading tanks, and it is more sensitive to groundwater than the EPA because 90% of the people in New Mexico drink groundwater.

• NEW YORK: New York has had regulations that are more stringent than the Federal EPA regulations since 1986. Examples include: for bulk storage tanks there are registration, installation, testing, removal and closure specifications. Other areas include: secondary containment on tanks and piping, split tanks (petroleum/chemical) and stronger standards for new construction. The state is working on regulations for storage and handling.

• NORTH CAROLINA: North Carolina has a law which says "the state cannot adopt more stringent environmental regs than the Federal government," so it is staying with EPA minimums. This does not bar local governments (cities, towns and counties) from adopting more stringent laws than the federal code. Examples: Fuquay has adopted a "double-wall" containment ordinance for new fuel tank installations that virtually prohibits such installations; A Guilford County ordinance says abandoned fuel oil tanks must be removed or filled with inert materials; or, if still usable, the tanks must be emptied, fuel lines must be plugged and vents left open. Proposed legislation differs slightly from federal regs.

• NORTH DAKOTA: Adopted regulations that are almost the same as the EPA. The only difference is that a 30-day written notice for tank removal must be signed by the owner.

• OHIO: Following federal regulations, but in the process of writing state regs.

• OKLAHOMA: Their state regs are basically the same as the EPA, however, they also regulate ethane base antifreeze tanks which became effective April 13, 1989.

• OREGON: Following EPA regs.

• PENNSYLVANIA: The state regulates both aboveground and USTs. The state requires tank registration, certification of installers and inspectors, yearly inspection, with the Dept. of Natural Resources conducting follow-up investigation.

• RHODE ISLAND: State regulations have been in place since 1984 and are as stringent as EPA's. There are some exceptions; for example, the state's tank testing program, started in 1986, is considered to be tougher than the government's. Currently reviewing the EPA regs to decide in which areas Rhode Island needs to be stricter.

• SOUTH CAROLINA: State regulations have been on the books since January 1986 with the initial set more stringent than those of the EPA. The state requires daily inventory and weekly reconciliation. Also, administers permits to tank installers.

• SOUTH DAKOTA: In November 1987 the state adopted regulations which basically followed those proposed by the EPA, but included both USTs and aboveground tanks and the compliance dates vary. The state also adopted the financial responsibility requirements set by the EPA.

• TENNESSEE: Regs mirror EPA.

• TEXAS: Among the state regulations are a 30-day prior notice for installation and abandonment, strenuous registration requirements and spill/overfill protection is required by 1994 not 1998 as mandated by EPA. State regs require cathodic protection on all tanks; however, tanks over 10 years old don't require internal inspection before applying cathodic protection. Swing joints are not allowed; and the program does not defer on airport hydrant systems or emergency generator release detection requirement. It does partially regulate hydraulic lifts.

• UTAH: The state has no UST regulations, but has adopted EPA's technical rules by reference. A tank certification program covers testers, handlers and installers for competency. The program includes specific rules for tank closures and tank disposal.

• VERMONT: The state regulations are generally more stringent than EPA's requirements. Some of the differences between the two rules include: testing program for existing tanks, the secondary containment requirements and new construction. Currently working at incorporating EPA regs with the state regs, but "that won't really change things."

• VIRGINIA: The regs are generally the same as the EPA rules, with the exception of regulating heating oil tanks at 5,000-gal.

• WASHINGTON: Currently the state follows the federal regs. The state has the legislation to implement a state program, which should be in effect July 1990. This legislation is consistent with the EPA's mandates, however, it may differ in environmentally sensitive areas.

• WEST VIRGINIA: Planning to adopt the federal regs. The state will require written 30-day notification for tank installation.

• WISCONSIN: The state has two departments that handle federal UST regulations. The Dept. of Industry, Labor and Human Relations participates in petroleum inspections for USTs. The Dept. of Natural Resources handles cleanup under the state's spill law. The state is currently following regulations which are similar to the EPA's. In early 1990 the state will implement regs more stringent than the federal mandates, i.e. will not allow abandonment in place.

• WYOMING: Follows EPA regs. NPN

# Here's How State Tank

**Over the past few months several states adopted trust funds for cleaning up an underground storage tank leak. To date only Georgia, Ohio, Louisiana, Vermont, Wisconsin, Illinois and Alabama state trust funds have been approved by the Environmental Protection Agency, and as of late December only Minnesota, Mississippi, Montana, North Dakota and Oklahoma have submitted their plans for approval. Several other states hope to submit cleanup funds early this year.**

Although many states adopted storage tank cleanup funds prior to the EPA releasing its technical standards and financial responsibility requirements for tank owners and operators, most of these have been revised to meet the federal government mandates.

While some states continue to work out the kinks in their trust funds, others have yet to even draft any legislation.

As noted in the article on page 44, a

| State | EPA Approved | Funding Mechanism | Effective Date | Mandatory Participation | Fund Balance | Funding Reactivated | Funding Cap |
|---|---|---|---|---|---|---|---|
| Alabama | Yes | $10-$150 tank fee | 10/1/88 | Yes | $2.4 M | $7.5 M | $10 M |
| Alaska | No | 5¢/bbl. oil | 1986 | Yes | $20 M | $50 M | None |
| Arizona | P* | 1¢/gal. tank fee | 8/1/90 | Yes | $36 M | $36 M | |
| Arkansas | No | 0.2¢/gal motor fuels + tank fee | 7/1/89 | Yes | $600,000 | $6 M | $10 M |
| California | No | $200 annual tank fee | 10/2/89 | Yes | 0 | N/A | N/A |
| Colorado | No | $30 annual tank fee + $25-$30 tanker surcharge | 7/1/89 | No | $1.5 M | $1.5 M (See comments) | $4 M |
| Connecticut | P | 3% of gross earnings from quarterly sales of petroleum products | 1989 | Yes | | $5 M | $15 M |
| Delaware | P | $1 M appropriation from state revenue | 1/16/87 | No | 0 | | |
| Florida | P | $50 tank fee + $25 annual renewal + 10¢/bbl. import tax on petroleum products | 7/1/86 | No | $59 M unencumbered $2 M unobligated | $5 M (See comments) | $50 M (See comments) |
| Georgia | P | 0.1¢/gal. on petroleum products stored | 7/1/88 | No | $5.4 M | $10 M | $20 M |
| Hawaii | | | | | | | |
| Idaho | | | | | | | |
| Illinois | Yes | 0.66¢ bulk delivery fee | 7/28/89 | Yes | $8 M est. $2 M/mo. accrument | Constant | None |
| Indiana | | | | Yes | | | |
| Iowa | P | 0.7¢/gal. environmental protection charge, $65 tank fee | 5/89 | Yes | $4 M | See state regs | $12 M |
| Kansas | No | 1¢/gal. motor fuels | 4/90 | No | 0 | $2 M | $5 M |
| Kentucky | | | | | | | |
| Louisiana | Yes | $100 annual tank fee | 7/15/88 | Yes | $1.9 M | $2 M | $6 M |
| Maine | P | 1.5¢/bbl. crude oil tax + 1¢/bbl. gasoline tax + 0.5¢/bbl. refined oil products tax | (See comments) | N/A | $4.8 M Total for all 3 funds | All funds are non-lapsing. | $60 Surface Oil Fund None Hazardous Waste, Groundwater Funds |
| Maryland | | | | | | | |
| Massachusetts | | | | | | | |
| Michigan | No | 0.87¢/gal. refined petroleum fee | 7/18/89 | Yes | | N/A | None |

*P: Pending

# Cleanup Funds Fare

variety of insurance companies will dovetail their policies around state trust funds to help ease the financial burden tank owners and operators are being faced with.

The state cleanup funds do not, in many cases, cover the entire costs for cleaning up a release; rather, they provide financial assistance to marketers. The funds help marketers meet EPA regs which require owners of underground tanks to be financially able to remedy any leaks and compensate third parties for property damage caused by accidental releases from the USTs. However, there are some state trust funds which are very comprehensive and do cover all the necessary EPA mandates.

Most of the funds compensate for on-site spills (damages to property owned by the insured) and off-site releases (property off the initial leak site). However, many of the tank funds do not compensate for third party bodily injury.

The following is a brief rundown of what's happening in each state.

| Cleanup | Third Party | Deductible | Retroactive | Work w/ Insurance | Comments |
|---|---|---|---|---|---|
| $1 M | $1 M | $5000 | 10/1/88 | Yes | Fund is recognized as providing financial responsibility for owners. |
| (See comments) | (See comments) | None | | Yes | Similar to Superfund.<br>Cleanup and 3rd party is based on each individual case with the intention of cost recovery. |
| $150,000/ occurrence | No | $10,000 first 2 yrs. then $25,000 | 9/15/89 | Yes | This is proposed legislation to be effective 8/90. |
| $1 M | $500,000 | Currently $50,000<br>Proposed $25,000 | 7/1/89 | Yes | In the process of amending Petroleum Storage Tank Trust Fund. |
| $1 M/ occurrence | No | $50,000 | 1/1/88 | Yes | This is a reimbursement fund, not an insurance program, effective until 1/1/98. Currently being reviewed. |
| $1 M | $1 M | $10,000 cleanup<br>$25,000 3rd party | (See comments) | No/Yes (See comments) | If fund drops below $1.5 M, the surcharge will double. The Governor has appointed a committee to decide retroactive policies. Legislation pending. |
| $1 M | $1 M | $10,000 | No | (See comments) | Need to meet qualifications before allowed to participate in the fund. |
| $1 M | $1 M | $2500 | N/A | | |
| $1 M<br>$2 M aggregate | $1 M<br>$2 M aggregate | $500/incident not to exceed $25,000 | (See comments) | Yes | The fund is retroactive if reported before 12/31/88 and costs are incurred after 1/1/85.<br>If the fund falls below $5 M, the tax is increased to 20¢ until the balance exceeds $15 M then the tax is reduced to 10¢. If the fund exceeds $50 M, the tax is discontinued until the balance falls below $35 M then the 10¢ tax is reinstated. |
| $1 M/ occurrence (See comments) | $1 M/ occurrence | $10,000/ occurrence | 7/1/88 | No | Currently amending state regulations. Annual aggregate is currently $1 M for 1-13 tanks; $2 M for 13 or more tanks. |
| | | | | | Administering Federal LUST fund only. Legislation to work up financial guarantees. Legislation is pending. |
| $1 M | $1 M | $10,000 | No (See comments) | No (See comments) | Must provide insurance statement to verify and claim is filed with insurer first, if available. The fund is retroactive prior to 7/28/89, but there is a higher deductible ($50,000-$100,000). |
| $1 M | No | $100,000<br>$5000 or 25% of cost | 7/1/87 Conditional | Yes | |
| $1 M/occurrence<br>$1 M aggregate - 100 tanks<br>$2 M aggregate - 100 tanks | No | (See comments) | No | For 3rd party | Deductible: $5000 - 4 tanks; $10,000 - 12 tanks; $20,000 - 13 tanks; $60,000 - 99 tanks. |
| | | | | | Proposed in 1990 legislature. |
| $1 M | $1 M | $15,000 | No | Yes | |
| No | Yes. Compensation is sought. | No | No | Yes | Funds are not insurance programs; spiller is responsible to repay monies spent from funds. Insurance program will be debated in 1990 legislature. Effective dates for the funds are: 1969 Surface Oil Fund, 1981 Hazardous Waste Fund and 1985 Groundwater Fund. |
| | | | | | No fund. |
| | | | | | No fund. Have state superfund loosely modeled after CERCLA. |
| $1 M | $1 M | $10,000 | 7/18/89 | (See comments) | Fund will expire in 5½ years. Owners and operators must show proof of financial responsibility for deductible. |

# UST Update

| State | EPA Approved | Funding Mechanism | Effective Date | Mandatory Participation | Fund Balance | Funding Reactivated | Funding Cap |
|---|---|---|---|---|---|---|---|
| Minnesota | P | $10/1000-gal. petroleum products 1¢/gal. for 30 days (See comments) | 6/87 | Yes | $2.7 M | $1 M | 30-day fee activated |
| Mississippi | No | 0.2¢/gal. motor fuel tax + $40 tank fee | 5/18/88 | Yes | $6 M | $4 M | $6 M |
| Missouri | P | $100 tank fee | 8/28/89 | No | 0 | $3 M | $6 M |
| Montana | P | 1¢/gal. gasoline to 0.75¢/gal. gasoline after 6/30/91 | 10/1/89 | No | $2 M | $4 M | $8 M |
| Nebraska | No | $25 tank fee + 0.3¢/gal. gasoline tax + 0.1¢/gal. diesel tax | 5/27/89 | Yes | $1.3 M | $3 M | $5 M |
| Nevada | No | 0.6¢ petroleum product fee + tank fee | 10/1/89 | Yes | | $5 M | $7.5 M |
| New Hampshire | P | 0.6¢ fee on oil transfers/ transported into state. | 7/88 | Yes | $3 M approx. | $2.5 M approx. | $10 M |
| New Jersey | | | | | | | |
| New Mexico | No | 0.2¢/gal. tax on gasoline and special fuel entering state | 7/1/88 | Yes | $2.3 M | $2 M | $10 M |
| New York | | 4¢/bbl. >400,000-gal. | 4/1/78 | Yes | $5.7 M | | $18 M-$25 M |
| North Carolina | P | 0.125¢ kerosine tax/motor fuel tax + $45 tank fee >3500-gal.; $70 tank fee >3500-gal. | 6/30/88 | Yes | $2.3 M | $5 M | $15 M |
| North Dakota | P | 0.225¢/gal. tax + $25 annual tank fee | 7/1/89 | Yes/No (See comments) | $300,000-$400,000 | $1 M | $3 M |
| Ohio | Yes | $150 annual tank fee | 7/11/89 | Yes | | | |
| Oklahoma | P | 1¢/gal. fee on gasoline, diesel, blending fuels | 7/1/89 | Yes | 0 | $5 M | Fee reactivated for 90 days. |
| Oregon | | | | | | | |
| Pennsylvania | | | | | | | |
| Rhode Island | | | | | | | |
| South Carolina | No | $100 annual tank fee | 5/88 | Yes | $1.2 M | N/A | $1 M |
| South Dakota | P | 1¢/gal. fee on gasoline/ distillates sold | 4/1/88 | Yes | $5.1 M | $2 M | $5 M |
| Tennessee | P | $100 annual tank fee | 7/1/88 (See comments) | Yes | $3.2 M | $2 M | $5 M |
| Texas | P | Variable fee on bulk deliveries. (See comments) | 9/1/89 | Yes | 0 | $50 M 8/31/91<br>$25 M 9/1/91 | $125 M 8/31/91<br>$100 M 9/1/91 |
| Utah | P | $250 annual tank fee | 7/1/90 | Yes | 0 | $12.5 M | $17.5 M |
| Vermont | Yes | 1¢/gal. motor fuel tax + $100-$200 annual tank fee. (See comments) | 1/1/87 | Yes | | N/A | N/A |
| Virginia | No | 0.2¢/gal. motor fuel tax | 7/88 | Yes | $3.5 M | $10 M | $20 M |
| Washington | No | 0.7¢ of 1% × wholesale value of hazardous wastes & petroleum tax on wholesale/imports into state | 3/1/89 | Yes | $1.5 M | N/A | None |
| West Virginia | | | | | | | |
| Wisconsin | Yes | 11.4¢/bbl. petroleum inspection fee | 8/1/87 | No | $9 M | $3 M | $10 M |
| Wyoming | No | $200 annual tank fee + 1¢/gal. tax<br>$150 annual tank fee for self-insured owners | 7/1/89 | Yes | | | $10 M |

| Cleanup | Third Party | Deductible | Retroactive | Work w/ Insurance | Comments |
|---|---|---|---|---|---|
| $250,000 | $250,000 | No | 6/4/87 | (See comments) | Petroboard has ruled that tank owners cannot be doubly reimbursed from both insurance and the fund. Will reinstitute 30-day collection mechanism anytime the fund dips below $1 M. |
| $1 M | $1 M | $300,000 3rd party<br>$100,000 Cleanup | Up to 5/18/88 | No | |
| $1 M/incident | $1 M/incident<br>Property damage only | Sliding scale<br>(See comments) | No | Yes | Deductible: 100% of first $25,000; 50% of 2d $25,000; 25% between $50,000-$100,000. |
| $1 M/incident aggregate | $1 M/incident aggregate | 50% of $35,000 spent | 4/13/89 | Yes | In the process of promulgating rules to guide the board on reimbursement procedures. |
| $975,000/ occurrence | No | (See comments) | Spills 7/17/86<br>Costs 5/27/89 | (See comments) | Deductible: $10,000 + 25% of the cost shared by O/O up to an additional $15,000. Total % share is not to exceed $25,000. Insurance companies are researching policies incorporating the fund. |
| $1 M/incident | $1 M | Regulated $25,000<br>Residential $1000 | No | No | |
| $1 M aggregate | $1 M aggregate | $5000 single facility<br>$20,000 2-19 facilities<br>$30,000 30 + facilities | 7/88 | (See comments) | Regulations are pending. In the process of developing a section for oil discharge and disposal cleanup fund. |
| | | | | | No legislation. No insurance. Following Federal LUST Fund regulations. |
| (See comments) | No | No | Yes, if there is a state interest | No | Fund pays first $25,000 per incident plus 50% between $200,000 and $1 M. |
| Yes | Yes | No | 4/1/78 | Yes | Fund does not serve as financial responsibility. |
| $1 M aggregate | $1 M aggregate | $50,000 cleanup<br>$100,000/tank/ occurrence 3rd party | Yes | Yes | |
| $100,000 | No | $7500 | No | Yes | Mandatory participation for petroleum dealers, who is anyone licensed by tax commissioner to sell motor fuel. |
| | | $50,000<br>$10,000 6 tanks- | | Yes | The Governor has not named the Board as of yet. They need to meet and establish the final rules. |
| $500,000-$1 M | (See comments) | $10,000 | No | No | The tank owner must obtain a contractor who will provide a corrective action plan to the owner and the OCC. The plan will be reviewed as to its capability of remediation and that it incorporates reasonable expenses. |
| | | | | | No fund. |
| | | | | | UST insurance fund details are being ironed out. |
| | | | | | No fund. |
| Damage only | Damage only | $100,000 | Grace period 1/88 to 12/89 | See state regulations. | Plan to amend act in 1990 legislature to decrease deductible and change funding mechanism. |
| $100,000 | No | $10,000 cleanup | 4/1/88 | Pays second to insurance. | 1990 legislation to increase coverage to $1 M. Financing is available through state's PECA Program and SBA's 7A Loan Program. |
| $1 M | $1 M | $50,000 cleanup<br>$150,000 3rd party | No | Yes | Must pay fees before eligibility. |
| $1 M/ occurrence | No | $10,000/ occurrence | 5/31/89 | Yes | $12.50/yr. for 2500-gal.-; $50/yr. for 8000-9999-gal. For 10,000 gal.+ $25 fee for each 5000-gal. increment. |
| $975,000 | $300,000 | $25,000 | No | Yes | Owners and operators required to pass state tank tightness/soil tests before receiving coverage. |
| $1 M uninsured costs | $1 M uninsured costs | $10,000/leak cleanup | 1/1/87 | | Funding until 7/1/94; can file claims until 7/1/96. Tank fee depends on facility and gallonage sold. |
| $1 M | $1 M | $50,000/leak cleanup | No | Yes | Regulation in process and plans to be |
| Proposed | Proposed | $150,000/leak 3rd party | | | adopted by 3/90. Proposed effective date is 5/90. |
| | No | None | | Yes | Similar to LUST fund. Commission has been formed to address to financial responsibility reinsurance. |
| | | | | | Insurance fund is currently being drafted. There is a LUST fund but it cannot be used to demonstrate financial responsibility. |
| $195,000/site | $195,000/site | $5000<br>$10,000 7/1/93 | 8/1/87 | Yes | Cleanup and 3rd party: $50,000/leak 100-999 tanks; $5000/leak all others up to $950,000/occurence. |
| $5000-$50,000 | $1 M / C/A | (See comments) | | Proposed | Deductible: $5000 -6 tanks; $15,000 +15 tanks; $50,000- 15 tanks. Currently legislation is pending to revise the existing 3 trust funds. |